



STATE OF NEW JERSEY  
CIVIL SERVICE COMMISSION

Chris Christie  
*Governor*  
Kim Guadagno  
*Lt. Governor*

Robert M. Czech  
*Chair/Chief Executive Officer*

**AGENDA OF REGULAR MEETING OF  
THE CIVIL SERVICE COMMISSION  
FEBRUARY 8, 2012**

**Robert M. Czech, Chairperson**  
**Robert E. Brenner**  
**Thomas J. Perna**  
**Richard E. Williams**

**WITHDRAWAL OF APPEALS**

**The following appeals were withdrawn and removed from the hearing calendar:**

Bridget Betancourt, Police Officer, City of Camden, Police Department, fine.

Michael Bloom, Police Officer, Ewing Township, Department of Public Safety, layoff.

James Boelhower, Fire Prevention Specialist UFD, Woodbridge, Fire District #1, suspension.

Eric Burden, Sewer Repairer, Township of North Brunswick, Department of Public Works, suspension.

Frank Catalano, Sheriff's Officer, Essex County, Sheriff's Department, removal.

Mark Church, Sheriff's Officer, Cumberland County, Sheriff's Officer, removal.

Kenneth Dowzycki, Senior Librarian, Clark Public Library, layoff.

Linnett Fraser, Human Services Technician, Trenton Psychiatric Hospital, Department of Human Services, removal.

Thomas Grande, Fire Captain, Township of Belleville, Fire Department, suspension.

Michael Hendricks, Police Officer, City of Camden, Police Department, fine.

Larry Howell, Assistant Personnel Officer, Newark Housing Authority, layoff.

Walid Jawawdeh, Construction Code Inspector 1, Department of Community Affairs, layoff.

Dywon Kelsey, Sheriff's Officer, Mercer County, Sheriff's Department, two suspensions and removal..

Kathryn McFadden, County Correction Officer, Burlington County Jail, suspension and four removals.

Richard McGuire, Police Officer, City of Camden, Police Department, fine.

Alessandra Viola, Police Officer, City of Hackensack, Police Department, suspension.

Martin Walsh, Sewer Plant Operator, Mount Laurel, Department of Utilities Authority, removal.

Dennis York, Senior Correction Officer, New Jersey State Prison, Department of Corrections, removal.

Mark Young, Police Officer, City of Camden, Police Department, fine.

## **SECTION A – HEARING MATTERS**

### **A-1 SETTLEMENTS**

In the Matter of Robert Curry  
South Woods State Prison  
Department of Corrections  
Suspension

In the Matter of John Ruggiano  
Camden County Board of Social Services  
Suspension

In the Matter of Durwin Smalls  
East Jersey State Prison  
Department of Corrections  
Removal

In the Matter of Angel Suarez  
Hudson County  
Department of Roads and Public Property  
Removal

In the Matter of Hope Tucci  
Gloucester County  
Emergency Response Department  
Suspension

## **RECOMMENDATION OF THE ADMINISTRATIVE LAW JUDGE IN THE ABOVE CASES – SETTLEMENT**

### **ACTION:**

**A-2 LASISI ADEKOLA**

Lasisi Adekola, Regional Staff Nurse Medical Assistance, Department of Health and Senior Services, release at the end of the working test period effective July 16, 2010.

Recommendation of the Administrative Law Judge – Uphold the release at the end of the working test period.

**ACTION:**

**A-3 WILLIAM HOUSEWORTH**

William Houseworth, Supervisor of Recreation, New Jersey Department of Corrections, appeals the good faith of the layoff effective January 14, 2011, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Grant the appointing authority's motion for summary decision and dismiss the appeal.

**ACTION:**

**A-4 NELSON BOVIER, ET AL**

Nelson Bovier, *et al.*, City of Passaic, appeal the good faith of their layoffs effective June 18, 2010, for reasons of economy and efficiency.

Recommendation of the Administrative Law Judge – Dismiss the appeals with prejudice.

**ACTION:**

**A-5 QUADIR LEWIS**

Quadir Lewis, Senior Correction Officer, East Jersey State Prison, Department of Corrections, 120-day suspension on charges of neglect of duty, conduct unbecoming a public employee, violation of administrative procedures and/or regulations involving safety and security, other sufficient cause, violation of a rule, regulation, policy, procedure, order and falsification.

Recommendation of the Administrative Law Judge – Reverse the 120-day suspension.

**ACTION:**

**A-6 PATRICK BURNS**

Patrick Burns, Police Sergeant, City of Bayonne, Police Department, removal effective February 14, 2011, on charges of insubordination, failure to perform duty and conduct unbecoming a public employee.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**A-7 JENNIFER HARRIS-DRAKEFORD**

Jennifer Harris-Drakeford, Nurse's Aide, Passaic County, Preakness Hospital, removal effective July 19, 2011, on charges of conduct unbecoming a public employee, other sufficient cause and violation of County workplace policy regarding violence, resident abuse, and neglect prevention and procedure.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**A-8 NELSON FERRER**

Nelson Ferrer, Residential Service Worker, New Jersey Veterans' Memorial Home, Vineland, Department of Military and Veterans' Affairs, removal, effective August 31, 2010, on charges of conduct unbecoming a public employee, other sufficient cause and violation of numerous policies regarding sexual misconduct and sexual harassment.

Recommendation of the Administrative Law Judge – Uphold the removal.

**ACTION:**

**SECTION B – MISCELLANEOUS MATTERS****B-1 TODD MARINO**

Todd Marino appeals his rejection as a Correction Officer Recruit candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9999K) on the basis of psychological unfitness to perform effectively the duties of the position.

**ACTION:**

**B-2 IRENE DARBY**

Irene Darby, a Judiciary Clerk 4 with the Judiciary, Vicinage 13 – Somerset, Hunterdon and Warren Counties, appeals the denial of sick leave injury (SLI) benefits.

**ACTION:**

**B-3 CHRISTOPHER HUESSER**

Christopher Huesser, a Senior Correction Officer with Albert C. Wagner Youth Correctional Facility, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:**

**B-4 DONNA LESLIE**

Donna Leslie, an Investigator 3 with the Department of Law and Public Safety, appeals the denial of additional sick leave injury (SLI) benefits.

**ACTION:**

**B-5 ROBIN PEARCE**

Robin Pearce, a Senior Correction Officer at Edna Mahan Correctional Facility for Women, Department of Corrections, represented by Daniel Geddes, Esq., appeals the denial of sick leave injury (SLI) benefits.

**ACTION:**

**B-6 MICHAEL DIPASCALE**

Michael DiPascale, a Deputy Fire Chief with the Fire Department, City of Camden, represented by Frank M. Crivelli, Esq., appeals the determination of his layoff rights by the Division of State and Local Operations.

**ACTION:**

**B-7 EDWARD GLASSMAN**

Edward Glassman, a Deputy Fire Chief with the Fire Department, City of Camden appeals the determination of his layoff rights by the Division of State and Local Operations.

**ACTION:**

**B-8 SHERITA FELDER**

Sherita Felder appeals the removal of her name from the Family Service Specialist 1 (PS6667K), Department of Children and Families, employment list due to her failure to respond to the Certification Notice.

**ACTION:**

**B-9 CHARLES MILLS**

Charles Mills, a Senior Water Repairer with the Passaic Valley Water Commission, represented by Mario Rivera, Senior Staff Representative, Communications Workers of America, Local 1032, requests a hearing regarding his 20 day suspension.

**ACTION:**

**B-10 JOSEPH NAPOLEONE**

Joseph Napoleone, represented by Charles J. Sciarra, Esq., petitions the Civil Service commission for a make-up examination for Police Lieutenant (PM2513K), Clifton, the dismissal of disciplinary charges, and counsel fees related to the challenge of those disciplinary charges in accordance with the orders of the Superior Court, Law Division.

**ACTION:**

**B-11 SEAN BOGUCKI**

The Department of the Treasury requests that the Civil Service Commission authorize the promotion of Sean Bogucki from the non-competitive title of Repairer to the competitive title of Mechanical Equipment Specialist pursuant to *N.J.A.C. 4A:4-1.1(c)2*.

**ACTION:**

**B-12 ERIN EDWARDS, ET AL.**

The Atlantic City Municipal Utilities Authority, represented by John C. Matthews, Esq., requests that Erin Edwards, Christopher Kunigelis, and Sabrina Showell be permitted to file late applications for the open competitive examination for Water Treatment Plant Operator Apprentice (M0422M), Atlantic City Municipal Utilities Authority.

**ACTION:**



**B-13 JEANETTE JIMENEZ**

Woodbridge Township requests that Jeanette Jimenez's out-of-title experience be accepted to qualify her for a prospective lateral title change pending qualifying examination to the title of Senior Account Clerk.

**ACTION:**

**B-14 ANTHONY LEMANSKI**

Anthony Lemanski appeals the residency code assigned to him for the examination for Fire Fighter (M9999M).

**ACTION:**

**B-15 TIMOTHY O'NEIL**

Timothy O'Neil, a Police Officer with Hillside, represented by Craig S. Gumpel, Esq., appeals the discontinuation of his interim appointment to the title of Police Sergeant.

**ACTION:**

**B-16 KEVIN H. SANTUCCI**

Berkeley Township requests that Kevin H. Santucci be provided with a retroactive date of permanent appointment as a Police Sergeant, effective May 8, 2009.

**ACTION:**

**B-17 GERSHOM OGILVIE**

The appointing authority requests that the provisions of *N.J.A.C.* 4A:6-3.4(a), which govern the time period in which employees must file an application for Supplemental Compensation on Retirement (SCOR), be relaxed to permit Gershom Ogilvie, a former Cook – 12 Months at North Jersey Developmental Center, Department of Human Services, to submit a late application for SCOR benefits.

**ACTION:**

**B-18 JOANNA RODRIGUEZ**

The Department of the Treasury requests that the provisions of *N.J.A.C.* 4A:4-1.1(c)2 be relaxed in order to permit it to promote Joanna Rodriguez from the non-competitive title of Clerk to the competitive title of Technical Assistant 3. It also requests that Rodriguez's applicable out-of-title work be considered in the promotional examination process.

**ACTION:****B-19 FELICIA TAYLOR**

The Division of State and Local Operations requests that Irvington be permitted to promote Felicia Taylor from the noncompetitive title of Keyboarding Clerk 1 to the competitive title of Records Support Technician 2 pursuant to *N.J.A.C.* 4A:4-1.1(c)2.

**ACTION:****B-20 TAHWANA BURKS**

Tahwana Burks appeals the determination of the Division of State and Local Operations that her position with the Department of Human Services is properly classified as Accountant 2. The appellant seeks an Administrative Analyst 2, Accounting classification.

**ACTION:****B-21 MARK CIFALOGGIO, ET AL.**

Mark Cifaloglio, Wayne Fowler, and Francisco Saltar, represented by Jennifer Pisano, Esq., appeal the attached decisions of the Division of State and Local Operations (SLO) that their positions with the Vineland Fire Department are properly classified as Fire Lieutenant. Anthony Baldosaro, Robert Scarpa, and Luigi Tramontana, also represented by Jennifer Pisano, Esq., appeal the attached decisions that their positions are properly classified as Fire Captain. The appellants seek classifications of Fire Captain, and Battalion Fire Chief, respectively.

**ACTION:**

**B-22 LAURIE FANNING**

Laurie Fanning appeals the decision of the Division of State and Local Operations which found that her position with the Department of Treasury is properly classified as Pensions Benefits Specialist 2. The appellant seeks a Pensions Benefits Specialist 1 classification.

**ACTION:**

**B-23 MARIA LEBRON**

Maria Lebron appeals the decision of the Division of State and Local Operations which found that her position with the Department of Treasury is correctly classified as Technical Assistant 2, Treasury. The appellant seeks a Technical Assistant 1, Treasury classification.

**ACTION:**

**B-24 VINCENT MERCURIO**

Vincent Mercurio appeals the decision of the Division of State and Local Operations that his position with the Department of Environmental Protection is properly classified as Crew Supervisor, Wildlife Management Area Operations. The appellant seeks an Engineer-in-Charge of Maintenance 4 classification.

**ACTION:**

**B-25 EUGENIA PIERSON (JOSEPH)**

Eugenia Pierson (Joseph) appeals the decision of the Division of State and Local Operations which found that her position with the Department of Treasury is properly classified as Pensions Benefits Specialist 2. The appellant seeks a Pensions Benefits Specialist 1 classification.

**ACTION:**

**B-26 GAY RANDOLPH-LEE**

Gay Randolph-Lee appeals the decision of the Division of State and Local Operations which found that her position with the Department of Treasury is properly classified as Pensions Benefits Specialist 3. The appellant seeks a Pensions Benefits Specialist 1 or 2 classification.

**ACTION:**

**B-27 JOSEPH STEFANONI**

Joseph Stefanoni appeals the decision of the Division of State and Local Operations that the proper classification of his position with the Department of Environmental Protection is Environmental Specialist 3, Site Remediation. The appellant seeks an Environmental Specialist 4, Site Remediation classification.

**ACTION:**

**B-28 BONNIE ZACHARIAS**

Bonnie Zacharias appeals the determination of the Division of State and Local Operations that her position with Phillipsburg is properly classified as a Senior Housing Assistance Technician. The appellant seeks a Field Representative, Housing (Housing Assistance Program) classification.

**ACTION:**

**B-29 BATTALION FIRE CHIEF (PM3509L), CITY OF TRENTON**

The appointing authority's failure to dispose of the certification for Battalion Fire Chief (PM3509L), City of Trenton, while a provisional is serving in the title, has been referred to the civil Service Commission for enforcement.

**ACTION:**

**B-30 CASHIER (M1281H) AND (M0924K), EAST ORANGE**

East Orange requests permission not to make an appointment from the September 16, 2009 certification for Cashier (M1281H) and (M0924K).

**ACTION:**

**B-31 CODE ENFORCEMENT OFFICER (M0619K), CAMDEN**

The City of Camden requests the extension of the eligible list for Code Enforcement Officer (M0619K).

**ACTION:**

**B-32 COOK (C0045N), ATLANTIC COUNTY**

Atlantic County requests permission not to make an appointment from the May 11, 2011 certification for Cook (C0045N).

**ACTION:**

**B-33 FIRE CAPTAIN (PM3571J), CITY OF TRENTON**

The appointing authority's failure to dispose of the certification for Fire Captain (PM3571J), City of Trenton, while provisionals are serving in the title, has been referred to the Civil Service Commission for enforcement.

**ACTION:**

**B-34 PAUL DEHOPE**

Paul DeHope, a former Sergeant First Class with the New Jersey State Police, Department of Law and Public Safety, appeals the determination of the Chief of Staff, Office of the Attorney General, which found that the appellant failed to establish that he had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:**

**B-35 TOMASINA JOHNSON**

Tomasina Johnson, a former Senior Food Services Worker at Greystone Park Psychiatric Facility, Department of Human Services, appeals the determination of the Assistant Commissioner, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:**

**B-36 DANKA RANKOVICH**

Danka Rankovich, a Senior Youth Worker with the Juvenile Justice Commission, Department of Law & Public Safety, appeals the determination of the Chief of Staff, Office of the Attorney General, stating that the appellant failed to present sufficient evidence to support a finding that she had been subjected to violations of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:**

**B-37 BRENDA WATKINS**

Brenda Watkins, a Cottage Training Supervisor with Woodbine Developmental Center, Department of Human Services, appeals the determination of the Assistant Commissioner, which found that the appellant failed to support a finding that she had been subjected to a violation of the New Jersey State Policy Prohibiting Discrimination in the Workplace.

**ACTION:**

**B-38 JEFFREY EATON**

The appeal of Jeffrey Eaton, a Senior Correction Officer at Albert C. Wagner Youth Correctional Facility, Department of Corrections, of his 120 working day suspension, on charges, was heard by Administrative Law Judge Tiffany M. Williams (ALJ), who rendered her initial decision on December 5, 2011, recommending that the 120 working day suspension be reversed. At its meeting on January 25, 2012, the Civil Service Commission (Commission) did not adopt the ALJ's recommendation. Rather, the Commission remanded the matter to the Office of Administrative Law for further proceedings. The proposed decision is now submitted for the Commission's review.

**ACTION:**

**B-39 CHRISTOPHER THWEATT**

The appeal of Christopher Thweatt, a Street Repairer with the City of Hackensack, of his removal, effective October 12, 2010, on charges, was heard by Acting Director and Chief Administrative Law Judge Laura Sanders (ALJ), who rendered her initial decision on December 20, 2011. At its meeting on January 25, 2012, the Civil Service Commission (Commission) adopted the ALJ's recommendation to modify the removal to a six-month suspension. However, the Commission found it necessary to address the exceptions and cross exceptions filed by the parties. The proposed decision is now submitted for the Commission's review.

**ACTION:****B-40 VALENTINE COOPER**

Valentine Cooper, a Senior Correction Officer at Northern State Prison, Department of Corrections, represented by Daniel Geddes, Esq., petitions the Civil Service Commission for reconsideration of the final decision rendered on April 20, 2011, which upheld the denial of sick leave injury (SLI) benefits.

**ACTION:****B-41 JESSICA BALSECA CADENA**

Jessica Balseca Cadena appeals the decision of the Division of Selection Services which found that she did not meet the experience requirements for the promotional examination for Management Specialist (PC0555N), Hudson County.

**ACTION:****B-42 YOLANDA HAWKINS**

Yolanda Hawkins appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the promotional examination for Real Estate Officer (PM0361N), City of Camden.

**ACTION:**

**B-43 ELIZABETH KOERKEL**

Elizabeth Koerkel appeals the determination of the Division of Selection Services which found that she was below the minimum requirements in experience for the open competitive examination for Program Specialist, Special Child Health Services (C0163N), Cumberland County.

**ACTION:**

**B-44 HENRY NGUYEN**

Henry Nguyen appeals the determination of the Division of Selection Services which found that he was below the minimum requirements in education for the promotional examination for Environmental Specialist 2 (PS3098T), Department of Transportation.

**ACTION:**

**B-45 MARLENE TERHUNE**

Marlene Terhune appeals the determination of the Division of Selection Services that she did not meet the education and experience requirements for the promotional examination for Recreation Program Specialist (PM0318M), Township of West Milford.

**ACTION:**

**B-46 JAMES D. TERRY**

James D. Terry appeals the determination of the Division of Selection Services which found that he did not meet the experience requirements for the promotional examination for Technical Assistant 3 (PS3246G), Department of Environmental Protection.

**ACTION:**



**B-47 JAMES DONOVAN, ET AL.**

James Donovan, Anthony Maddalone and Robert Ryan (PM5004N), Bayonne; David Muller (PM5019N), Ewing; David Brown, Nicola Flora and Vincent Wolleon (PM5028N), Jersey City; David Feldhan (PM5029N), Kearny; Jeffrey Grippaldi (PM5035N), Long Branch; Bryan O'Hare (PM5041N), Marlboro; David Bonney (PM5043N), Millburn; Anthony Facchini and Willie Sierra (PM5074N), Union City; Pietro DiGena (PM5076N), Union; and David Mandamba and James Sarkos (PM5085N) Atlantic City; appeal the written examination for Police Lieutenant (various jurisdictions).

**ACTION:****B-48 CIVIL SERVICE COMMISSION MINUTES**

Submitted for adoption are the Civil Service Commission minutes of its meeting of January 25, 2012.

**ACTION:**